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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 GLENN CARTER,

9 Plaintiff,

10 v.

11 JAY INSLEE, et al.,

12 Defendants.

Case No. C16-1726-RSL-MAT

ORDER DECLINING TO SERVE  
AMENDED COMPLAINT AND  
GRANTING LEAVE TO AMEND

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14 This is a 42 U.S.C. § 1983 prisoner civil rights action. The Court declined to serve  
15 plaintiff's original complaint and granted him leave to amend. Plaintiff then filed a 948-page  
16 amended complaint, which includes factual allegations and legal claims against 22 defendants  
17 interspersed with exhibits. (Dkt. 51.) The Court declined to serve plaintiff's amended complaint  
18 because it failed to comply with Federal Rule of Civil Procedure 8(a), which requires a short and  
19 plain statement of the claim showing the pleader is entitled to relief. (Dkt. 53.) The Court  
20 informed plaintiff:

21 Any second amended complaint should identify, in a simple, concise way, (1) what  
22 happened (ideally explaining relevant events in chronological order), (2) how  
23 plaintiff was harmed, (3) who harmed plaintiff (and is therefore a defendant), (4)  
the constitutional or federal statutory claims asserted, and (5) the specific relief  
requested. Plaintiff should strive to be concise and omit all information that is not  
relevant to the specific claims he is bringing here (i.e., references to claims he plans

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1 to bring in different lawsuits). Plaintiff should omit complaints about the Court's  
2 previous orders. Plaintiff may omit discussion of how he exhausted his legal  
remedies. **Plaintiff should not include exhibits.**

3 (Dkt. 53 at 2 (emphasis in original).)

4 Plaintiff moves for reconsideration, arguing that he addressed each of the deficiencies that  
5 the Court identified in his original complaint and that the exhibits are necessary to prove the truth  
6 of his allegations. (Dkt. 58.) Pursuant to the Local Civil Rules, "Motions for reconsideration are  
7 disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest  
8 error in the prior ruling or a showing of new facts or legal authority which could not have been  
9 brought to its attention earlier with reasonable diligence." W.D. Wash. Local Rules LCR 7(h)(1).  
10 Plaintiff fails to demonstrate manifest error in the Court's ruling that a 948-page complaint fails to  
11 comply with the Federal Rules of Civil Procedure. Likewise, he does not set forth new facts or  
12 legal authority that changes the Court's ruling. Accordingly, the Court DENIES plaintiff's motion  
13 for reconsideration (Dkt. 58).

14 The Court GRANTS plaintiff leave to file a second amended complaint within **45 days** of  
15 the date this Order is signed, thus extending the original deadline. As noted in the Court's previous  
16 order (Dkt. 53), any amended complaint must carry the same case number as this one. **If no second  
17 amended complaint is timely filed or if plaintiff files a second amended complaint that does  
18 not comply with Rule 8(a) or correct the deficiencies identified in the original complaint (see  
19 Dkt. 15), the Court may recommend that this action be dismissed under 28 U.S.C. § 1915A.**

20 The Court reminds plaintiff that an amended pleading operates as a *complete* substitute for  
21 an original pleading. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992). Plaintiff should  
22 refer to the advice above regarding how he can present his claims in a way that complies with Rule  
23 8(a). As noted above, allegations in a complaint do not need to be supported by attached exhibits.

1 If, however, plaintiff believes exhibits are necessary to support otherwise speculative allegations,  
2 he may attach *no more than 30 pages* of exhibits at the end of his second amended complaint.

3 The Clerk is directed to send copies of this Order to plaintiff and to the Honorable Robert  
4 S. Lasnik.

5 Dated this 11th day of September, 2017.

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8 Mary Alice Theiler  
United States Magistrate Judge  
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